



COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
9150 EAST IMPERIAL HIGHWAY, DOWNEY, CALIFORNIA 90242
(562) 940-2501
<http://probation.co.la.ca.us>



ROBERT B. TAYLOR
CHIEF PROBATION OFFICER

April 19, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF A CONTRACT WITH ROBERT SPIERER FOR INDEPENDENT
CHILD ABUSE INVESTIGATION REVIEW SERVICES
(3 VOTES, ALL SUPERVISORIAL DISTRICTS)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Approve the attached contract with Robert Spierer for independent child abuse investigation review services for the County of Los Angeles Probation Department in an estimated annual amount of \$150,000, for a 12-month period to commence following Board approval, through May 31, 2008, with an option to renew for two additional 12-month periods. Funding for this contract is included in the FY 2007-08 Adopted Budget.
2. Instruct the Chairman, Board of Supervisors, to sign the attached contract.
3. Delegate authority to the Chief Probation Officer to extend the contract term for two additional 12-month periods, in an estimated amount of \$150,000 for additional contract term, upon approval by County Counsel.
4. Delegate authority to the Chief Probation Officer to execute modifications to the contract not exceeding ten percent (10%) of the fixed hourly rate and/or one hundred eight (180) days to the period of performance pursuant to the terms contained therein, upon approval by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS:

The purpose of the recommended actions is to obtain Board approval of a contract with Robert Spierer to provide independent child abuse investigation review services for the Department. The recommended actions will allow the Probation Department to comply with the requirements outlined in paragraph 31 of the Department of Justice (DOJ) June 30, 2005 Action Plan.

Pursuant to the DOJ Settlement Agreement, Probation agreed to contract with an individual who is not an employee of Probation to review child abuse investigations completed by the Department. As a result of the Settlement Agreement and Compliance Plan between Probation and the DOJ, Probation identified Robert Spierer as a uniquely qualified individual with the background, experience, and education required to provide the necessary services. Given Mr. Spierer's unique qualifications and the Department's need to immediately comply with the DOJ Action Plan, the contract is recommended on a sole source basis.

The proposed contract waives standard contracting requirements related to liability insurance and indemnification. Due to Mr. Spierer's inability to obtain insurance for the sensitive nature of the contracted services, the County requirements were modified for the contract. Given Mr. Spierer's unique ability to provide the critical services, the Department negotiated a contract that waives the standard requirements with a lower hourly rate.

The proposed contract will begin following Board approval on June 1, 2007 through May 31, 2008, with 2 one-year options to extend, subject to County Counsel approval.

Implementation of Strategic Plan Goals

The recommended Board action is consistent the Countywide Strategic Plan, Goal #1, Service Excellence, Goal #3, Organizational Effectiveness, and Goal #5, Children and Families' Well-Being.

FINANCIAL IMPACT/FINANCING:

The recommended contract is estimated at an annual cost of \$150,000 for the initial contract term. Costs beyond the estimated amounts will only be incurred with available funding. Adequate funds are provided in the FY 2007/2008 Probation Department's Budget to finance the cost of the proposed contract. Provisions for non-appropriation of funds, budget reductions, and no guaranteed minimum usage are included in the proposed contracts.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

The scope of work for the contracted services includes serving as an independent party for the purpose of reviewing and approving child abuse investigations.

The recommended contract includes all of the required terms and conditions, including requirements regarding contractor non-responsibility and debarment.

This is a Non-Prop A contract. Consequently, there are no departmental employee relations issues and it will not result in a reduction of County services.

The Department has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contract.

Probation will not request the contractor to perform services which exceed the Board-approved contract amount, scope of work, and/or contract term.

County Counsel has approved the contract as to form.

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CONTRACTING PROCESS:

The proposed contract is recommended on a sole source basis due the urgency to comply with the DOJ Action Plan and the unique qualifications and experience possessed by Mr. Spierer.

Mr. Spierer is an attorney who is a retired executive from the Los Angeles County Sheriff's Department. He headed the Internal Affairs Division of the agency for several years, and is conversant in all issues pertaining to investigative and disciplinary matters. He has a thorough understanding of issues relating to the use of force, the use of force under the color of authority, and investigations regarding child abuse allegations.

IMPACT ON CURRENT SERVICES (OR PROJECTS):

Approval of the recommended actions will enable the Probation Department to comply with the Action Plan's mandate to have child abuse investigations reviewed by an independent party who is not an employee of the Department.

It is requested that the Executive Officer, Board of Supervisors, forward a copy of the executed contract to:

Robert J. Spierer
23432 Thornewood Dr.
Santa Clarita, CA 91321

Probation Department
9150 E. Imperial Highway
Downey, CA 90242
Attention: Yolanda Young
Contracts & Grants Mgmt Div

Respectfully submitted,



Robert B. Taylor
Chief Probation Officer

Attachment

c: Chief Administrative Officer
County Counsel